

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

BALTIMORE DIVISION

JASON ALFORD, DANIEL LOPER, WILLIS
MCGAHEE, MICHAEL MCKENZIE, JAMIZE
OLAWALE, ALEX PARSONS, ERIC SMITH,
CHARLES SIMS, JOEY THOMAS, and LANCE
ZENO, Individually and on Behalf of All Others
Similarly Situated,

Plaintiffs,

vs.

THE NFL PLAYER DISABILITY & SURVIVOR
BENEFIT PLAN; THE NFL PLAYER
DISABILITY & NEUROCOGNITIVE BENEFIT
PLAN; THE BERT BELL/PETE ROZELLE NFL
PLAYER RETIREMENT PLAN; THE
DISABILITY BOARD OF THE NFL PLAYER
DISABILITY & NEUROCOGNITIVE BENEFIT
PLAN; LARRY FERAZANI; JACOB FRANK;
BELINDA LERNER; SAM McCULLUM;
ROBERT SMITH; HOBY BRENNER; and
ROGER GOODELL,

Defendants.

Case No. 1:23-cv-00358-JRR

**PLAINTIFFS' MOTION FOR PARTIAL RECONSIDERATION OF THE
COURT'S MEMORANDUM OPINION GRANTING IN PART AND
DENYING IN PART DEFENDANTS' JOINT RULE 12(b)(6) MOTION
TO DISMISS PLAINTIFFS' AMENDED CLASS ACTION COMPLAINT**

Pursuant to Rule 54(b) of the Federal Rules of Civil Procedure and Local Rule 105.10 of the Rules of this Court, Plaintiffs move for partial reconsideration of the Court's March 20, 2024 Memorandum Opinion (ECF No. 78), which granted in part and denied in part Defendants' Joint Rule 12(b)(6) Motion to Dismiss (ECF No. 69) Plaintiffs' Amended Class Action Complaint (ECF No. 56).

Specifically, Plaintiffs do not seek to have the Court reconsider any of its holdings. Rather, Plaintiffs move only to have the Court modify its decision to reflect that the applicable limitations period in this case bars any wrongful denial of benefits challenge under section 502(a)(1)(B) of the Employee Retirement Income Security Act of 1974, 29 U.S.C. § 1132(a)(1)(B), to a final adverse determination issued before August 9, 2019 rather than, as the Court determined, before May 12, 2020.

The reasons supporting this motion are set forth in the accompanying memorandum of law. A proposed order also accompanies this motion.

Dated: April 3, 2024

Respectfully submitted,

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